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**DATE:** Thursday, September 01, 2005

**RECIPIENT**

**FAX:** 571-273-8300

**TO:** Examiner Gary Chapman Hoge

**RECIPIENT**

**COMPANY:** USPTO Office

**PHONE:** 571-272-6645

**FROM:** Brian C. Rupp

**SENDER PHONE:** 312-569-1480

**TOTAL NUMBER OF PAGES INCLUDING COVER SHEET** 09

**MESSAGE:** Title: APPARATUS AND SYSTEM FOR IDENTIFICATION LABELING  
Inventor(s): Caveney et al.  
Application No.: 10/822,320  
Filed: April 12, 2004

Dear Examiner Hoge:

Enclosed is the Response to Final Office Action of May 2, 2005 (5) pages which was sent to the USPTO on August 2, 2005.

Thank you.

Brian C. Rupp, Reg. No. 35,665

If there is any problem with this transmission, please call the sender at the number indicated above as soon as possible.

**••• CONFIDENTIALITY NOTE •••**

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**CERTIFICATE OF MAILING  
UNDER 37 CFR 1.8**

**Date of Deposit: August 2, 2005**

I hereby certify that the following Response to Final Office Action of May 2, 2005 along with its enclosures is being deposited with the United States Postal Services with sufficient postage as first class mail on the date indicated above, addressed to:

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Title: APPARATUS AND SYSTEM FOR IDENTIFICATION LABELING

Inventor(s): Caveney et al.

Application No.: 10/822,320

Filed: April 12, 2004

Enclosed:

1. Transmittal Form PTO-1083 (1 pg) and duplicate thereof (1 pg)
2. Response to Final Office Action of May 2, 2005 (5 pgs)
3. Return postcard

L. Mikitjuk  
Typed or Printed Name

J. Mikitjuk  
Signature

Attorney Docket No. LCB361-CON  
Client No. 083329-0003  
CH02/22400155.1

FORM PTO-1083

PATENT  
Attorney Docket No. LCB361-CON  
Date: August 2, 2005

In re Application of: Caveney et al.  
Application No. 10/822,320  
Filed: April 12, 2004  
For: APPARATUS AND SYSTEM FOR  
IDENTIFICATION LABELING

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SEP 01 2005

Mall Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a response to a Final Office Action in the subject application.

☐ Applicants claim small entity status of this application under 37 CFR 1.27.

☒ Petition For Extension Of Time

- ☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is (enclosed).  
☒ Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 07-0181 for the appropriate petition fee.

☒ No additional claim fee is required.

☐ Other:

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT CLAIM FEE	RATE	ADDIT CLAIM FEE
TOTAL	12	MINUS	20	=0	x \$25=	\$	x \$50=	\$0.00
INDEPENDENT	2	MINUS	3	=0	x \$100=	\$	x \$200=	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ \$180=	\$	+ \$360=	\$
					TOTAL	\$	TOTAL	\$0.00

☐ Please charge my Deposit Account No. 07-0181 in the amount of \$ . A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached.

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-0181. A duplicate copy of this sheet is attached.

- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.  
☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

GARDNER CARTON &amp; DOUGLAS LLP

By: 

Brian C. Rupp, Reg. No. 35,665  
One of the Attorneys for Applicant(s)


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In re Appln. of Caveney et al.  
Application No. 10/822,320  
Response to Final Office Action of May 2, 2005

CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO FINAL OFFICE ACTION OF MAY 2, 2005 (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: August 2, 2005

  
Irina L. Mikitiouk

CH02/22400130.1

THE US PATENT AND TRADEMARK OFFICE IS RESPECTFULLY REQUESTED TO PLACE ITS STAMP ON THIS POST CARD AND PLACE IT IN THE OUTGOING MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED:

Application No. 10/822,320

Date Mailed: August 2, 2005

Docket No. LCB381-CON

Filing Date: April 12, 2004

Mailing: 1st Class Mail

Client Matter No. 063328-0003

Applicant(s): Caveney et al.

Atty/Paralegal: BCR/ILM

Title: "APPARATUS AND SYSTEM FOR IDENTIFICATION LABELING"

☐ Utility ☐ Design ☐ PRO ☐ DIV ☒ CON ☐ CIP ☐ RCE ☐ PCT ☐ Reexam
☒ Transmittal Form PTO-1083 (1 pg.)☒ w/ duplicate copy

pages of Specification

pages of Claims (Claim(s) )

pages of Abstract

sheets of Drawings - (Fig(s) )

☐ PCT Fee Calculation Sheet ( pgs. in dupl.)☐ Application Data Sheet ( pgs.)☐ PCT Power of Attorney ( pgs.)☐ Resp. to Notice of Missing Pts. ( pgs.)☐ w/ copy of Notice of Missing Pts. ( pgs.)☐ w/ duplicate copy of Response☐ Submission of Seq. Listing and Statement ( pgs.) w/ copy of Notice ( pgs.)☐ Computer readable copy on Diskette☐ Paper copy ( pgs.)☐ Other:☐ Check for the sum of \$

Office: Chicago

☐ Charge Deposit Account No. 07-0181 the sum of \$☒ Response to Final Office Action of May 2, 2005 (5 pgs.)☐ Recordation Cover Sheet ( pgs. in dupl.)☐ Assignment ( pgs.)☐ RCE ( pgs. in duplicate)☐ Appeal Brief ( pgs. in triplicate)☐ w/ Transmittal ( pgs. in duplicate)☐ Claim for Convention Priority ( pgs.)☐ Certified copy of☐ Information Disclosure Statement ( pgs. in dupl.)☐ Form PTO-1449 ( pg.)☐ Copies of cited references ( )☐ Request Cert. Under 35 USC 122 ( pgs.)☐ PTOL-85 w/ Fee Advs Indr. ( pgs. in dupl.)

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